Remarks:

Reconsideration of the application, as amended herein, is respectfully requested.

Claims 1 - 6 and 10 - 26 are presently pending in the application. Claims 15, 17, 20, 21, 22, 23, 24, 25 and 26 have been amended. Claims 7 - 9 were previously canceled. The claims are not being amended herein to overcome any rejections based on prior art.

Applicant gratefully acknowledges that item 4 of the above-identified Office Action indicated that claims 1 - 5 and 7 - 14 were allowed. Applicant notes that no art was cited against claims 15 - 26 in the Office Action. MPEP § 707.07 requires an Examiner's action to be complete as to all matters. As such, because no art was cited against Applicant's claims 15 - 26 in the present Office Action, Applicant concludes that those claims must have been found to be patentable over the art.

However, in item 5 of the Office Action, claims 15 - 19 were objected to on the basis of informalities. The Examiner's suggested corrections of claims 15 and 17 have been made, among other amendments.

Further, in item 6 of the Office Action, claims 15 - 26 were rejected as allegedly being indefinite under 35 U.S.C. § 112, first paragraph for, among other things, claiming "a variable". More particularly, it was requested in the Office Action that Applicant amend the claim limitation "a variable" to clarify what that variable corresponds to in each of the claims 15 - 26. It was additionally requested in the Office Action that Applicant specify support for such amendments, as found in the specification of the instant application.

More particularly, Applicant's claim 15 has been amended to better clarify "the variable", stating:

> **wherein said variable is a temperature quantity** of said unit with a thermal capacitance; [emphasis added by Applicant]

The amendment to claim 1 is supported by the specification of the instant application, for example, on page 5 of the instant application, lines 8 - 11, which state:

> According to another preferred embodiment of the processor according to the present invention **the state unit is a unit with a thermal capacitance and the state is a temperature of the unit**. [emphasis added by Applicant]

See also, for example, page 11 of the instant application, lines 2 - 6.

Applicant's claim 15 has additionally been amended to recite, among other limitations, first and second temperature sensors. such sensors are supported by the specification of the instant application, for example, on page 12 of the instant application, lines 7 - 14, which state:

> Fig. 4 shows a schematic representation of a third embodiment of the present invention. The third embodiment differs from the second embodiment in that, in addition to a computation unit 12, a thermal capacitance 50 **with a first temperature sensor and a clock generator 32, it also has a second temperature sensor 70** and a comparator 72. The output signals of the first temperature sensor and of the second temperature sensor 70 are routed to the comparator 72 (arrows 74, 76). [emphasis added by Applicant]

Applicant's independent claim 15 was further amended to recite, among other limitations:

> **wherein the speed of the computation unit is controlled** according to **a first temperature measured by said first temperature sensor** and is also controlled according to **a second temperature measured by said second temperature sensor**. [emphasis added by Applicant]

This further amendment to claim 15 is additionally supported by the specification of the instant application, for example, on page 12, lines 14 - 29, which state:

> **In response to the output signals of the two temperature sensors the comparator 72 generates a difference signal**, which represents the difference in the output signals and which is routed to the clock generator 32 (arrow 78). In the clock generator 32 **a clock rate is generated for the computation unit 12 in response to the difference signal.**

> **The second temperature sensor 70 serves to determine a reference temperature**. The second temperature sensor 70 can e.g. be located on the thermal capacitance 50 at a different place than the first temperature sensor. The difference signal generated by the comparator 72 from the temperature signals of the two temperature sensors then represents an average temperature gradient between the two locations of the two temperature sensors. [emphasis added by Applicant]

As such, "the variable" of Applicant's claim 15 has been even more clearly set forth, herein. It is, therefore, believed that Applicant's claim 15 is definite under 35 U.S.C. § 112 and supported by the instant specification.

Applicant's independent claims 20 and 21 have been amended to recite, among other limitations:

> wherein **said variable is a temperature quantity or a thermal energy quantity** of said unit with the thermal capacitance;

As pointed out above, the variable being **a temperature quantity** is supported by the specification of the instant application, for example, on page 5 of the instant application, lines 8 - 11. That the variable can be a "thermal energy quantity" is additionally supported by the specification of the instant application, for example, on page 10, lines 15 - 23, which state:

> **In an alternative embodiment energy is stored in the form of thermal energy**. Fig. 3 shows a schematic

> representation of a processor according to this second embodiment of the present invention. The state unit comprises a thermal capacitance 50 with a temperature sensor, and a clock generator 32, which are actively connected to one another and to the computation unit 12. **The second embodiment thus differs from the first embodiment in that the electrical capacitance 30 is replaced by a thermal capacitance 50.** [emphasis added by Applicant]

As such, "the variable" of Applicant's claims 20 and 21 have been even more clearly set forth, herein. It is, therefore, believed that Applicant's claim 15 is definite under 35 U.S.C. § 112 and supported by the instant specification

Further, Applicant's remaining independent claims 22 - 26 have been amended to recite, among other limitations:

> **wherein the variable is a charge quantity** of an electrical capacitance **or a temperature quantity** of a unit with a thermal capacitance **or a thermal energy quantity** of a unit with a thermal capacitance **or an energy quantity of an energy store**; [emphasis added by Applicant]

As pointed out above, the variable being **a temperature quantity** is supported by the specification of the instant application, for example, on page 5 of the instant application, lines 8 - 11, while the variable being a "thermal energy quantity" is supported by the specification of the instant application, for example, on page 10, lines 15 - 23. That **the variable can be a charge quantity of an electrical capacitance** is supported by the specification of the instant

application, for example, on page 8 of the instant application, line 27 - page 9, line 3, which state:

> The arrow 34 represents the charging of the electrical capacitance 30 initiated by execution of an operation in the computation unit 12. **Each time an operation is executed by the computation unit 12, the charge on the electrical capacitance 30 is increased by a specified amount. The charge contained in the electrical capacitance 30 is thus a direct measure of the number of operations executed by the computation unit 12.** Depending on the size of this charge, a frequency of a clock generation by the clock generator 32 for the computation unit 12 is so controlled (arrow 36) that the greater the charge of the electrical capacitance 30 is, the lower is the frequency of the clock generation. [emphasis added by Applicant]

That **the variable can be a energy quantity of an energy store** is supported by the specification of the instant application, for example, on page 7 of the instant application, lines 2 - 7, which state:

> **In particular the state unit 14 may be an energy store, the state being represented by the stored amount of energy**. Starting from an initial state, a certain amount of energy is stored in the state unit by means of a suitable device whenever the computation unit 12 performs a calculation or executes an operation. [emphasis added by Applicant]

As such, the specification of the instant application clearly supports the different representations of the state "variable" claimed by Applicant (i.e., stored amount of energy: page 7, lines 2 - 7; thermal energy: page 10, lines 15 - 23; charge state of a capacitor: page 8, line 27 - page 9, line 3,

original claim 7; and temperature of a unit with a thermal capacitance: page 5, lines 8 - 11, original claim 8).

It is accordingly believed that all of Applicant's claims meet the requirements of 35 U.S.C. § 112, first paragraph.

It is additionally believed that none of the references, whether taken alone or in any combination, teach or suggest the features of claims 1, 15 and 20 - 26. Claim 1, 15 and 20 - 26 are, therefore, believed to be patentable over the art. The dependent claims are believed to be patentable as well because they all are ultimately dependent on claims 1 or 15.

In view of the foregoing, reconsideration and allowance of claims 1 - 6 and 10 - 26 are solicited.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate receiving a telephone call so that, if possible, patentable language can be worked out.

If an extension of time for this paper is required, petition for extension is herewith made.

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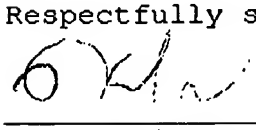
Please charge any fees that might be due with respect to Sections 1.16 and 1.17 to the Deposit Account of Lerner Greenberg Stemer LLP, No. 12-1099.

Respectfully submitted,



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